

## **ANNUAL REQUEST FOR FEDERAL SPECIAL EDUCATION FUNDS FY'17**

### **IDEA Part B SECTION 611 ASSURANCES**

#### **GEPA & Section 611 Assurances**

For purposes of implementing the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), LEAs requesting federal special education funds must make the following assurances as required by 34 CFR §76.301 and 20 U.S.C. 1232(e), a section of the General Education Provisions Act (GEPA) and IDEA Part B Section 611:

- (1) that the local educational agency will administer the program covered by the application in accordance with all applicable statutes, regulations, program plans, and applications;
- (2) that the control of funds provided to the local educational agency under this program and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;
- (3) that the local educational agency will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, federal funds paid to that agency under this program;
- (4) that the local educational agency will make reports to the State agency or board as may reasonably be necessary to enable the State agency or board and the Secretary to perform their duties and that the local educational agency will maintain such records, including the records required under Section 443 of this Act, and provide access to those records, as the State agency or board or the Secretary deem necessary to perform their duties;
- (5) that the local educational agency will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of this program;
- (6) that any application, evaluation, periodic program plan or report relating to this program will be made readily available to parents and other members of the general public;
- (7) that in the case of any project involving construction:
  - (a) the project is not inconsistent with overall State plans for the construction of school facilities, and
  - (b) in developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under Section 794 of Title 29 in order to ensure that facilities constructed with the use of federal funds are accessible and usable by individuals with disabilities;
- (8) that the local educational agency has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in this program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects;
- (9) that none of the funds expended under this program will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization;

- (10) that the “Certification Regarding Drug-Free Workplace Requirements” and “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion” assurances will be submitted to the Office of the Commissioner prior to the receipt of federal funds for FY 2013;
- (11) that the local education agency cooperate in the secretary’s efforts under Section 1308 of ESEA to ensure the linkage of records pertaining to migrating children with a disability for the purpose of electronically exchanging, among the States, health and educational information regarding such children;
- (12) that the local education agency, to the extent consistent with the number and location of children with disabilities in the State who are enrolled by their parents in private elementary schools and secondary schools in the school district served by a local educational agency (LEA), provision is made for the participation of those children in the program assisted or carried out under IDEA by providing for such children special education and related services in accordance with Section 612(a)(10)(A);
- (13) that the local education agency, in calculating the proportionate amount of federal funds, after timely and meaningful consultation with representatives of private schools, shall conduct a thorough and complete child find process to determine the number of parentally placed children with disabilities attending private schools located in the LEA. Section 612(a)(10)(A)(i)(IV); and
- (14) that the local education agency agrees that the amount of money provided under IDEA Part B will be expended only to pay the excess cost of providing special education and related services to children with disabilities and are used to supplement and not supplant state, local or other federal funds.